

AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, OCTOBER 20, 2014 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS:

COUNCIL MINUTES: October 6, 2014

ADMINISTRATION REPORTS & COMMUNICATIONS:

REPORTS & COMMITTEE MINUTES: Police Report – June, 2014

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

LEGISLATION

- | | | |
|---|--|--------------------------|
| First Reading Public Hearing 12/1/14 | <p>1. An ordinance rezoning 26193 Forestview, P.P. # 645-21-010, 011, 013, 037, 063 from CI to U8 (Office) use district and further amending Ord. No. 2812. (Sponsored by Planning & Zoning Commission)</p> <p>Comment: Rezoning of a portion of the Ss. Robert and William campus will allow the sale of the parcel to Fidelis Partners, Inc., for office use.</p> | <p>Ord.
(128-14)</p> |
| | <p>2. An ordinance authorizing the Mayor of the City of Euclid to enter into a contract with Billy Casper Golf to operate and manage the Briardale Greens Golf Course for a period of five years, commencing January 1, 2015. (Sponsored by Mayor Cervenik)</p> <p>Comment: Contract terms are consistent with the current operating agreement but change the dates to match the city's fiscal year. Base fee increase holds at a 3% annual rate and incentive provisions are unchanged.</p> | <p>Ord.
(123-14)</p> |
| | <p>3. An ordinance authorizing the Director of Finance of the City of Euclid to enter into the Memorandum of Agreement with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, and the Auditor of the State of Ohio for Audit Services for the City of Euclid. (Sponsored by Council President Holzheimer Gail by request of Finance Director)</p> <p>Comment: Through a selection process conducted by the Auditor of State, James G. Zupka was authorized to provide the annual audit of city finances as required by the Ohio revised Code. Service period covers audits for 2014 through 2017.</p> | <p>Ord.
(125-14)</p> |
| | <p>4. An ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, for the preparation a Comprehensive Annual Financial Report for the City of Euclid for the years 2014 through 2018. (Sponsored by Council President Holzheimer Gail by request of Finance Director)</p> | <p>Ord.
(124-14)</p> |

Comment: Legislation provides for the completion of the annual comprehensive financial report. Annual fee for the service remains flat for the entire five year period.

5. An emergency ordinance authorizing the Director of Finance to allocate and encumber funds for the payment of the Strand Associates, Inc., and Human Nature, Inc., to provide Phase II contract for study and planning services for the Green Infrastructure Evaluation and Enhancement Project in the separate and combined sewer areas in the City of Euclid, in an amount not to exceed \$85,000. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (127-14)

Comment: Consistent with the storm and wastewater improvements contained in the consent decree with US EPA, consulting engineers will begin phase II work on project design and study of storm water elimination from the collection system in order to reduce equalization requirements at the Wastewater Treatment Plant.

6. An ordinance authorizing the Director of Public Service of the City of Euclid to advertise for bids and enter into a contract for Emergency Repairs to Streets, Sewers & Sludge Lines for the year 2015, with an option for a one-year extension for 2016. (Sponsored by Councilperson McLaughlin by request of Service Director) Ord. (126-14)

Comment: City maintains a responsive and responsible contractor to make emergency repairs to sewers and other infrastructure when needed.

COMMITTEE OF THE WHOLE – PUBLIC PORTION

COUNCIL MEMBERS' COMMENTS

ADJOURNMENT

PP#'s 645-21-010 & 011, 013, 037, 063
26193 Forestview
CI to U8

(128-14)

Ordinance No.

By - Planning and Zoning Commission

An ordinance to amend Section 1 of Ordinance No. 2812, as amended, and the map and map designations, which map and map designations, as amended, form a part of Ordinance No. 2812, as relates to and designates CI and U-8 use districts relative to said property.

WHEREAS, public notice and hearings have been given in connection with the changing of CI and U-8 use districts relative to the hereinafter described property as is established by Ordinance No. 2812, as passed by the Council of the Village of Euclid on the 13th day of December, 1922, which ordinance has from time to time been amended; and

WHEREAS, the amendment of said Ordinance No. 2812, which pertains to the hereinafter described property, by transferring said property from CI to U-8 use district, has been referred to the City Planning and Zoning Commission; and

WHEREAS, the City Planning and Zoning Commission has considered such amendment and proposed change at its regularly scheduled meeting on October 14, 2014, which will add to the present U-8 use district by inclusion of the property hereinafter described, and has recommended with conditions approval to Council; and

WHEREAS, the City Planning and Zoning Commission recommendation is conditioned upon the recording of a document establishing a shared parking agreement in conformance with the provisions of Euclid Codified Ordinance Section 1389.05 before a Certificate of Occupancy is issued for use of the area of this zoning map change; and

WHEREAS, in the interest of the general welfare of the City of Euclid and in order to promote the general advantage of public peace, safety, morals, convenience and prosperity of the inhabitants of the City of Euclid, this Council is of the opinion that the U-8 use district should be extended to include the property hereinafter described.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the following property:

PP# 6445-21-01 & 011, 013, 037, 063

Situated in the City of Euclid, County of Cuyahoga and State of Ohio and known as being part of Original Euclid Township Tract No. 20 and the southerly part of Sublot Nos. 38 and 39 in Milan S. Kapel's Resubdivision of part of Carl L. Stein's East 262nd Street Subdivision of part of Original Euclid Township Tract No. 20 as recorded in Volume 150 of Maps, Page 40 of Cuyahoga County Records and bounded and described as follows:

Beginning at an iron pin set in the westerly line of east 262nd Street (50 feet wide) distance south 20.86 feet from the northeast corner of Sublot No. 38 as aforesaid;

Thence South along the Westerly line of East 262nd Street as aforesaid a distance of 79.16 feet to a point of curve between the said westerly line of East 262nd Street and the northerly line of Forestview Avenue (60 feet wide);

Thence southwesterly along said curve deflecting to the left an arc distance of 31.40 feet to a point of tangency in the northerly line of Forestview Avenue, said curved line having a radius of 20.01 feet and a chord which bears South 44° 57' 15" West 28.28 feet;

Thence South 89°54'30" West along the said northerly line of Forestview Avenue a distance of 114.77 feet to an iron pin set;

Thence North a distance of 102.33 feet to an iron pin set;

Thence South 88°44'09" East a distance of 134.78 feet to the place of beginning and containing an area of 0.3906 acres of land as surveyed and described by James R. Costabile Jr. P.S. Ohio No. 5868 September 17, 2014, be the same more or less, but subject to all legal highways.

Section 2: That so much of Section 1 of Ordinance No. 2812, as amended, as relates to the U-8 use district shall be extended to include the territory described in Section 1 hereinabove.

Section 3: That the map as adopted December 13, 1922 and as thereafter amended, is hereby amended to conform with the change of property described in Section 1 of the ordinance from CI to U-8 use district.

Section 4: That so much of Ordinance No. 2812, as amended, and the map and map designations as placed the above described property in CI use district, is hereby repealed.

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Mayor Cervenik

An ordinance authorizing the Mayor of the City of Euclid to enter into a contract with Billy Casper Golf to operate and manage the Briardale Greens Golf Course for a period of five years, commencing January 1, 2015.

WHEREAS, the City of Euclid selected Bill Casper Golf, LLC, (“BCG”), to manage the Briardale Greens Golf Course in 2010; and

WHEREAS, BCG has meet the performance goals for the course and provided a quality experience for golf course patrons; and

WHEREAS, the base fee shall increase 3% annually during the term of the agreement with the incentive management fee being unchanged; and

WHEREAS, the Council further finds that a contract based upon the terms and conditions as authorized by Ordinance 3-2010 and as amended herein, with said agreement as amended, on file with the Clerk of Council, shall be approved and executed by the Mayor on behalf of the City.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Mayor enter into an agreement with Billy Casper Golf to operate and manage the Briardale Greens Golf Course for a period of five years commencing January 1, 2015, based upon the Briardale Greens Golf Course Management Agreement, as amended.

Section 2: That the Director of Finance is authorized to make payment to Billy Casper Golf from the Briardale Greens Enterprise Fund.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, ant that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Ordinance No.

By – Council President Holzheimer Gail (by request)

An ordinance authorizing the Director of Finance of the City of Euclid to enter into the Memorandum of Agreement with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, and the Auditor of the State of Ohio for Audit Services for the City of Euclid.

WHEREAS, the City of Euclid, with the approval of the Auditor of State, requested proposals to perform the annual audit for the years 2014 through 2017; and

WHEREAS, the City of Euclid and the Auditor of State have determined that the proposal submitted by James G. Zupka CPA, Inc., is the most advantageous to the City; and

WHEREAS, the firm of James G. Zupka will perform audit services for the years 2014 through 2017. A copy of the Memorandum of Agreement, Proposal and related documents are on file with the Clerk of Council.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Finance is hereby authorized to enter into the Memorandum of Agreement with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, and the Auditor of the State of Ohio for Audit Services for the years 2014 through 2017. A copy of the Memorandum of Agreement, Proposal and related documents are on file with the Clerk of Council.

Section 2: Funds to pay for this expenditure are to be derived from the General Fund and various other funds.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

(124-14)

Ordinance No.

By – Council President Holzheimer Gail (by request)

An ordinance authorizing the Director of Finance of the City of Euclid to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, for the preparation a Comprehensive Annual Financial Report for the City of Euclid for the years 2014 through 2018.

WHEREAS, the firm of James G. Zupka has provided services to the City to prepare the Financial Report of the City’s financial condition since 2009. A copy of the letter of engagement is on file with the Clerk of Council.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Finance is hereby authorized to enter into a contract with James G. Zupka, C.P.A., Inc., 5240 East 98th Street, Garfield Heights, Ohio 44125, for the preparation of a Comprehensive Annual Financial Report of the City’s financial condition for the years 2014 through 2018, with the maximum annual fee of \$28,800.

Section 2: Funds to pay for this expenditure are to be derived from the General Fund and various other funds.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Councilperson McLaughlin (by request)

An emergency ordinance authorizing the Director of Finance to allocate and encumber funds for the payment of the Strand Associates, Inc., and Human Nature, Inc., to provide Phase II contract for study and planning services for the Green Infrastructure Evaluation and Enhancement Project in the separate and combined sewer areas in the City of Euclid, in an amount not to exceed \$85,000.

WHEREAS, the Council of the City of Euclid on March 26, by Resolution No. 35-2012, supported the development of green solutions to the control of storm water and infiltration into the sanitary sewer collection system as an integral part of the overall wastewater improvement project and authorized the Administration to develop requests for proposals for qualified firms to partner with the project engineers in the development of a comprehensive plan; and

WHEREAS, through subsequent requests for qualifications, Administration has selected Strand Associates as the qualified consulting engineer for the development of a comprehensive green infrastructure plan, that will become part of the overall storm and wastewater upgrade to the collection and treatment system; and

WHEREAS, under Ordinance 161-2012, Strand Associates provided a Phase I report for the evaluation of green project impact in parts of the combined sewer areas; and

WHEREAS, additional project development through a Phase II study is required to implement the Green Infrastructure projects in the combined sewer areas identified in the Strand Associates Phase I report that could result in a potential savings in excess of \$4,000,000 in design and construction costs; and

WHEREAS, the proposal from Strand Associates and Human Nature would include phase II development work for the combined sewer areas and evaluate projects potential in the separate sewer areas with the goal to identify the most cost effective mix of green Infrastructure and gray infrastructure; and

WHEREAS, funds for the Phase II study are to derived from the Wastewater Treatment Fund and the Peterson Fund, in an amount not to exceed \$85,000; and

WHEREAS, this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Finance is hereby authorized to appropriate and encumber the sum of \$85,000 for the payment of the Strand Associates, Inc., and Human Nature, Inc., for the Phase II study and planning services for the Green Infrastructure Evaluation and Enhancement Project.

Section 2: Funds to pay for this expenditure are to be derived from the Wastewater Treatment Fund and the Peterson Fund.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Euclid, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from after it passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Ordinance No.

By – Councilperson McLaughlin (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to advertise for bids and enter into a contract for Emergency Repairs to Streets, Sewers & Sludge Lines for the year 2015, with an option for a one-year extension for 2016.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Public Service be, and he is hereby authorized, empowered and directed to advertise for bids and enter into a contract for Emergency Repairs to Streets, Sewers & Sludge Lines for the year 2015, with an option for a one-year extension for 2016 to be in accordance with specifications on file in the office of the Director of Public Service. Said contract shall be entered into after advertising for not less than two consecutive weeks in a newspaper of general circulation in the City of Euclid and awarded by the Board of Control to the lowest and best bidder. The specifications on file in the office of the Director of Public Service are hereby approved. The contract shall be in form approved by the Director of Law and shall be in conformance with such specifications. It shall be executed by the Director of Public Service. The Board of Control is hereby authorized to waive any minor or technical irregularities that may occur during the bid process.

Section 2: Funds to pay for this expenditure are to be derived from the 2015 Capital Budget.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor